

APPLICATION FOR A HEARING (COURT USE ONLY)  
CRIMINAL COMPLAINT

Page 1 of 2

Trial Court of Massachusetts  
District Court Department

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve:

ONLY MISDEMEANOR(S), I request a hearing  WITHOUT NOTICE because of imminent threat of  BODILY INJURY  COMMISSION OF A CRIME  FLIGHT  WITH NOTICE to accused

ONE OR MORE FELONIES, I request a hearing  WITHOUT NOTICE  WITH NOTICE to accused

WARRANT is requested because prosecutor represents that accused may not appear unless arrested

ARREST STATUS OF ACCUSED  
 HAS  HAS NOT been arrested

## INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS <b>BETH E SHEA</b> 51 Ford Ranch Road Milton MA 02186				BIRTH DATE 04/01/1963	SOCIAL SECURITY NUMBER 025-46-5810		
				PCF NO.	MARITAL STATUS Single		
				DRIVERS LICENSE NO. S64770630	LICENSE STATE MA		
HAIR Brown	RACE White	COMPLEXION Light	SCARS/MARKS/TATTOOS	GENDER Female	HEIGHT 507	WEIGHT 165	EYES Brown
EMPLOYER/SCHOOL Westfield Capital				BIRTH STATE OR COUNTRY Boston		DAY PHONE (617) 698-9786	
				MOTHER MAIDEN NAME Elen McSweeney		FATHER'S NAME Richard shea	

## CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST) Trooper R. Bradford Porter			COMPLAINANT TYPE <input checked="" type="checkbox"/> POLICE <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER	PD M.S.P.
ADDRESS State Police Milton 685 Hillside St. Milton, MA 02186			PLACE OF OFFENSE CENTRE LANE, MILTON, MA	
			INCIDENT REPORT NO. 2007-0H7-002181	OBTN TSI7200704181
			CITATION NO(S). See Offense Description Below	
1	OFFENSE CODE 265-15B-A	DESCRIPTION ASSAULT W/DANGEROUS WEAPON	OFFENSE DATE 06/05/2007	
VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual) Motor Vehicle <b>TRACY GORENKE</b>				
2	OFFENSE CODE 268-32B	DESCRIPTION RESIST ARREST	OFFENSE DATE 06/05/2007	
VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual)				
3	OFFENSE CODE 90-17-A	DESCRIPTION SPEEDING	OFFENSE DATE 06/05/2007	
VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual)				

REMARKS	COMPLAINANT'S SIGNATURE <i>MFB</i>	DATE FILED 6/5/07
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COURT USE ONLY      A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON      DATE OF HEARING      TIME OF HEARING  
AT

DATE

## PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

CLERK/JUDGE

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:

IMMINENT THREAT OF  BODILY INJURY  CRIME  FLIGHT BY ACCUSED  
 FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE  
 FELONY CHARGED BY CIVILIAN: NO NOTICE AT CLERK'S DISCRETION

DATE

## COMPLAINT TO ISSUE

## COMPLAINT DENIED

CLERK/JUDGE

PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S)  
NO(S).  1.  2.  3. BASED ON  
 FACTS SET FORTH IN ATTACHED STATEMENT(S)  
 TESTIMONY RECORDED: TAPE NO: \_\_\_\_\_  
 START NO. \_\_\_\_\_ END NO. \_\_\_\_\_  
 WARRANT  SUMMONS TO ISSUE  
 ARRAIGNMENT DATE

NO PROBABLE CAUSE FOUND  
 REQUEST OF COMPLAINANT  
 FAILURE TO PROSECUTE  
 AGREEMENT OF BOTH PARTIES  
 OTHER:

COMMENT:

*RC*

## CRIMINAL COMPLAINT

Trial Court of Massachusetts  
District Court Department

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Quincy DC  
1 Dennis F. Ryan Pkwy  
Quincy, MA 02169ARREST STATUS OF ACCUSED  
 HAS  HAS NOT been arrested

## INFORMATION ABOUT ACCUSED

## NAME (FIRST MI LAST) AND ADDRESS

BETH E SHEA

51 Ford Ranch Road  
Milton  
MA 02186BIRTH DATE  
04/01/1963SOCIAL SECURITY NUMB  
025-46-5810

PCF NO.

MARITAL STATUS  
SingleDRIVERS LICENSE NO.  
S64770630LICENSE STATE  
MAGENDER  
FemaleHEIGHT  
507WEIGHT  
165EYES  
BrownHAIR  
BrownRACE  
WhiteCOMPLEXION  
Light

SCARS/MARKS/TATTOOS

BIRTH STATE OR COUNTRY  
BostonDAY PHONE  
(617) 698-9786

## EMPLOYER/SCHOOL

Westfield Capital

MOTHER MAIDEN NAME  
Elen McSweeneyFATHER'S NAME  
Richard shea

## CASE INFORMATION

## COMPLAINANT NAME (FIRST MI LAST)

Trooper R. Bradford Porter

## ADDRESS

State Police Milton  
685 Hillside St.  
Milton, MA 02186COMPLAINANT TYPE  
 POLICE  CITIZEN  OTHERPD  
M.S.P.PLACE OF OFFENSE  
CENTRE LANE, MILTON, MAINCIDENT REPORT NO.  
2007-0H7-002181OBTN  
TSI7200704181CITATION NO(S).  
See Offense Description Below

## 1 OFFENSE CODE

90-24-O

## DESCRIPTION

M4593572

RECKLESS OPERATION OF MOTOR VEHICLE

OFFENSE DATE  
06/05/2007

VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual)

## 2 OFFENSE CODE

90-25-A

## DESCRIPTION

M4593572

IDENTIFY SELF, MV OPERATOR REFUSE

OFFENSE DATE  
06/05/2007

VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual)

## 3 OFFENSE CODE

90-25-D

## DESCRIPTION

M4593572

STOP FOR POLICE, FAIL

OFFENSE DATE  
06/05/2007

VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual)

## REMARKS

COMPLAINANT'S SIGNATURE

DATE FILED

## COURT USE ONLY

A HEARING UPON THIS COMPLAINT APPLICATION WILL  
BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

TIME OF HEARING

AT

## DATE

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## DATE

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CLERK/JUDGE

 PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S)  
NO(S).  1.  2.  3. BASED ON FACTS SET FORTH IN ATTACHED STATEMENT(S) TESTIMONY RECORDED: TAPE NO: \_\_\_\_\_

START NO. \_\_\_\_\_ END NO. \_\_\_\_\_

 WARRANT  SUMMONS TO ISSUE

ARRAIGNMENT DATE

 NO PROBABLE CAUSE FOUND REQUEST OF COMPLAINANT FAILURE TO PROSECUTE AGREEMENT OF BOTH PARTIES OTHER:

COMMENT:

The undersigned alleges the following as a  full or  partial statement of the factual basis for the offense(s) for which a criminal complaint is sought

On 6/5/07 at approximately 1650 hours, I was standing on the sidewalk on Centre Lane near Coolidge Road in the town of Milton. Centre Lane is a public way maintained by the town of Milton. Also standing at this location was Tracy Gorfinkle, Ms. Gorfinkle's juvenile daughter, and my fifteen month old son. At this time, I heard Ms. Gorfinkle exclaim "Oh my God!" I observed Ms. Gorfinkle take a step off the sidewalk towards the roadway. My attention was then drawn to a brown Jeep Cherokee traveling southbound on Centre Lane towards Ms. Gorfinkle. The Jeep was traveling at an extremely high rate of speed. The Jeep was traveling so fast that it was bouncing up and down as it traveled towards us. Centre Lane is a thickly settled residential area. I estimated the Jeep to be traveling in excess of 40 miles per hour. From the edge of the roadway, I observed Ms. Gorfinkle wave at the Jeep in an attempt to have it slow down. I then observed the operator of the Jeep, later identified as SHEA, Beth E. (DOB: 04/01/63, SSN: 025-46-5810, MA OLN: S64770630), rapidly slow the Jeep and swerve it towards Ms. Gorfinkle. It appeared as if Ms. Shea was attempting to strike Ms. Gorfinkle with the Jeep. The Jeep was now stopped within a few feet of Ms. Gorfinkle. I was now facing the Jeep's passenger side and identified myself as a state police officer. My badge of office and gun were plainly visible on my belt. I instructed Ms. Shea to stop the vehicle.

I walked around the front of Ms. Shea's vehicle and approached the driver's side door. I again identified myself as a state trooper and instructed Ms. Shea to lower her window. I observed Ms. Shea to be on a cell phone. Ms. Shea continued to ignore me. I knocked on Ms. Shea's window and again identified myself as a state trooper and instructed her to lower her window. Ms. Shea yelled, "Don't touch my car!" and continued to ignore my requests to lower her window. I again identified myself as a state trooper and instructed Ms. Shea to lower her window or she would be arrested. Ms. Shea continued to ignore my requests to lower her window. At this time, I retrieved the keys to my unmarked State Police cruiser which was parked nearby. Upon approaching my cruiser, I observed Ms. Shea's Jeep turn west onto Coolidge Road at a high rate of speed. I entered my cruiser and attempted to catch up to the Jeep. I activated my cruiser's emergency lights and siren. The Jeep had turned south onto Reedsdale Road. I observed the Jeep turn west onto Clifton Road. As I turned onto Clifton Road, I observed the Jeep ahead of me. As I attempted to catch up to the Jeep, I observed it slow down behind another vehicle on Clifton Road. The vehicle in front of the Jeep stopped at the stop sign located at the intersection of Clifton Road and Highland Street. The Jeep was then forced to come to a stop to avoid striking the vehicle in front of it. I pulled up behind the Jeep. My cruiser's lights and siren were still activated. The Jeep had made no effort to pull to the side of the road and was positioned in the right travel lane behind the other vehicle. I maintained a position behind the Jeep with the cruiser's emergency lights and siren activated because I believed that Ms. Shea might again attempt to flee. After several seconds positioned behind Ms. Shea with my lights and siren activated, neither Ms. Shea's Jeep nor the vehicle located in front of it moved.

I exited my cruiser and approached the Jeep's driver side door. My badge of office and gun were clearly visible on my belt. Ms. Shea continued to talk on her cell phone ignoring my presence. I again identified myself as a state trooper and instructed Ms. Shea to lower her window. Ms. Shea continued to talk on her cell phone ignoring my requests. Again, I identified myself as a state trooper and instructed her to lower her window. Ms. Shea appeared to be crying and stated that she wanted the police. Again, I informed Ms. Shea that I was a state police officer and instructed her to lower her window. Ms. Shea stated that she wanted the Milton Police. I instructed Ms. Shea again to lower her window and she ignored my request. I attempted to open the door and found that it was locked. I informed Ms. Shea that if she did not lower her window, I would be forced to break the window.

It was my opinion that because Ms. Shea was operating her vehicle in a reckless manner, had already assaulted Ms. Gorfinkle with her motor vehicle, refused my repeated instructions to stop and lower her window, and fled from my location, that she was a continued danger to the public. I returned to my cruiser and retrieved a flashlight. I returned

Ms. Shea's vehicle and again identified myself as a state police officer and instructed her to lower her window. When Ms. Shea again refused my request, I broke the Jeep's driver side window with the flashlight. With a hole created in the window, I was able to reach into the Jeep and unlock the driver's side door. I opened the door, and attempted to remove Ms. Shea from the vehicle. Ms. Shea resisted my attempts to remove her from the Jeep by pulling her arms away as I attempted to grab them. After struggling with Ms. Shea, I was able to gain control of Ms.

Shea's wrist and pulled her from the Jeep. Once out of the Jeep, I escorted Ms. Shea to a stone wall next to the roadway. She seated herself on the wall and was handcuffed and arrested.

At this time, Lieutenant John King of the Milton Police Department arrived and offered assistance. Several other Milton Police cruisers arrived to offer assistance. Ms. Shea was searched by Officer Jen Daukas and was transported by Officer Joseph Bennett to the State Police Barracks in Milton. Ms. Shea's vehicle was removed from the scene by Auto Service & Tow. At the barracks, Ms. Shea was advised of her Miranda Rights which she stated she understood. Fallon EMS was on scene at the barracks and evaluated Ms. Shea. EMT Scott Margolis stated that Ms. Shea had a minor abrasion on her back from a piece of glass and that she refused treatment. EMT Margolis also evaluated several lacerations on my right hand and gave me several bandages. These lacerations were received from the broken glass while unlocking the vehicle.

During booking, Shea gave several inconsistent and false answers to routine booking questions. When I asked her who her employer was, Ms. Shea replied that she did not have one. At a later point in the booking process, Trooper Michael Pedersen was required to ask Ms. Shea some of the same questions while fingerprinting her. When asked who her employer was, Ms. Shea responded that she was employed by Westfield Capital in Boston. During booking, Ms. Shea was asked if she was currently taking any medications and she replied that she was not. While inventorying Ms. Shea's property, a pill bottle in her name was located. The bottle states that the prescription was for Paroxetine HCL 20mg. The prescription also stated that Paroxetine was a generic form of Paxil. When asked about the prescription, Ms. Shea stated that her dog was diabetic and that the medications were for the dog. A telephone call to a pharmacist at the Milton CVS revealed that the pills as described by size, shape, color and markings ("APO" and "083") were in fact as marked on the pill bottle; Paroxetine HCL, a prescription drug.

During booking proceedings, Sergeant Brian Connors confirmed to Ms. Shea the charges she was facing including Assault with a Dangerous Weapon which Sgt Connors further identified the dangerous weapon as her vehicle. Ms. Shea then asked Sgt Connors to repeat the charges which he did. Ms. Shea then asked, "I hit the woman?" Sgt Connors then further explained the charge and Ms. Shea replied that she thought the woman was in trouble as she was wildly waving her arms in the street. I informed her that the woman was motioning for her to slow down due to her high rate of speed down the street. Ms. Shea further stated that she pulled over and was calling the police thinking the woman was in need of some assistance. When Sgt Connors asked her if she noticed that Trooper Porter had identified himself and was wearing his badge and gun, she stated that she did not see this. She also acknowledged that upon her leaving the area of Centre Lane, and approaching the stop sign on Clifton Road, she saw Trooper Porter's cruiser's lights and heard the siren but did not believe that the vehicle was in fact a police cruiser and that people pretend to be the police all the time.

Sergeant Connors also spoke with Tracy Gorfinkle regarding the chain of events. She described observing a vehicle, identified as Shea's, traveling at a high rate of speed down Centre Lane towards her location. Ms. Gorfinkle stated that this street is a notorious "cut-through" street for traffic attempting to avoid the traffic lights at Centre Street and Reedsdale Road and that Centre Lane has many children residing there. Ms. Gorfinkle stated that she stepped from the sidewalk into the street approximately one step from the driveway and with her right arm extended above her waist, waved her arm up and down in an attempt to get the vehicle to slow down. Ms. Gorfinkle further stated that the vehicle slowed very quickly and turned directly at her and stopped a few feet in front of her. Ms. Gorfinkle stated that if the vehicle had continued a short distance further, it would have struck her. Ms. Gorfinkle described the vehicle's turn towards her as changing its course of travel and would have driven into the driveway if it continued, if she was not in its path. Ms. Gorfinkle stated that she felt that the operator's actions were directed at her to "threaten" her for motioning for her to slow down and that she did in fact feel threatened. Ms. Gorfinkle stated that she observed as Trooper Porter approached Ms. Shea's vehicle, identified himself as a police officer and repeatedly instructed her to roll her window down. Ms. Gorfinkle stated that she observed Trooper Porter point to his hip area while identifying himself to Ms. Shea. Ms. Gorfinkle stated that the operator was acting "weird" and picked up a cellular telephone and stared straight ahead while Trooper Porter continually instructed her to roll down the window. Due to the described chain of events, Ms. Gorfinkle stated that she felt it necessary to take the two children inside the residence away from the situation.

PRINTED NAME R. B. Porter	SIGNATURE Tpr. R.B. P. # 3161	I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED 6/5/07
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK/JUDGE BASED ON ORAL TESTIMONY			
REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE		DATE SIGNED